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Dated: January 10, 2006

Signature: \_\_\_\_\_

(David C. Read)

Docket No.: 30932/40822  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mieczyslaw Stanislaw Rataj et al.

Application No.: 10/523,355

Filed: January 28, 2005

For: Rock Bolt Post Grouting Apparatus

Confirmation No.: 8371

Art Unit: 0

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date  
Granted mailed December 14, 2005, Applicant respectfully submits a Declaration, a Power of  
Attorney, and Part 2 Copy of Notice.

Our check in the amount of \$130.00 covering the fee set forth in 37 CFR  
1.16(f) is enclosed. The Director is hereby authorized to charge any deficiency in the fees  
filed, asserted to be filed or which should have been filed herewith (or with any paper

01/20/2006 GFREY1 00000143 10523355

01 FC:1617

130.00 OP

Application No.: 10/523,355

Docket No.: 30932/40822

hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 30932/40822. A duplicate copy of this paper is enclosed.

Dated: January 10, 2006

Respectfully submitted,

By 

David C. Read

Registration No. 39,811

MARSHALL, GERSTEIN & BORUN LLP

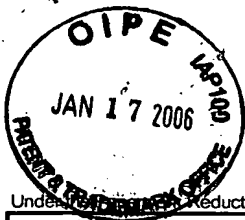
233 S. Wacker Drive, Suite 6300

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Attorney for Applicant

PCT  
123 Rec'd PCT/PTO 17 JAN 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

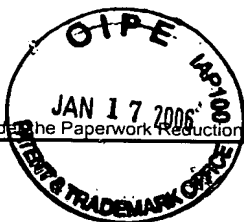
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/523,355-Conf. #8371
	Filing Date	January 28, 2005
	First Named Inventor	Mieczyslaw Stanislaw Rataj
	Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	30932/40822

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney and Correspondence Address Indication Form <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Declaration Part 2 Copy of Notice Statement Under 37 CFR 3.73(b)
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MARSHALL, GERSTEIN & BORUN LLP		
Signature			
Printed name	David C. Read		
Date	January 10, 2006	Reg. No.	39,811

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: DYWIDAG-Systems International Pty Limited

Application No./Patent No.: PCT/AU2003/000967 Filed/Issue Date: 1 August 2003

Entitled: Rock Bolt Post Grouting Apparatus

DYWIDAG-Systems International Pty Limited An Australian company ACN 093 424 349  
(Name of Assignee) Assignee, eg., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ an assignment from Inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the Inventor(s), of the patent application/patent identified above, to the current assignee  
As shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (ie., a true copy of the original assignment document(s) )  
must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded  
in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

**DIWYDAG-Systems International Pty Limited**

Mieczyslaw Stanislaw Rataj  
Signature

22-06-2005  
Date (Day Month Year)

MIECZYSLAW STANISLAW RATAJ  
Printed or typed Name

+612 4948 9099  
Telephone Number

MANAGER RESEARCH & DEVELOPMENT  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application for to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

S&F REF: 605059US SD

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<b>POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	<b>Application Number</b>	10/523355
	<b>Filing Date</b>	28 January 2005
	<b>First Named Inventor</b>	Mieczyslaw Stanislaw Rataj
	<b>Title</b>	Rock bolt post grouting apparatus
	<b>Art Unit</b>	
	<b>Examiner Name</b>	
	<b>Attorney Docket Number</b>	30932/40822

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint

Marshall, Gerstein &amp; Borum LLP

☐ Practitioners associated with Customer Number

04743

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agents(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

DYWIDAG-Systems International Pty Limited

Signature	<i>Mieczyslaw Rataj</i>	Date	22 06 2005 Day Month Year
Name	MIECZYSLAW STANISLAW RATAJ	Telephone	+61 2 4948 9099
Title and Company	MANAGER, R&D, DYWIDAG-Systems International		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \* Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application for to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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